

FISCAL NOTE

SB 398

February 14, 1997

SUMMARY OF BILL: Enacts the Sunshine in Litigation Act of 1997:

- Makes all records, discovery matters, and documents filed in civil court open to the public.
- Requires public hearings on motions to limit public access.
- Gives any person the right to intervene and awards attorney fees if person seeking access prevails.
- Requires the court clerks to post and mail notices of hearings.
- Requires clerk of the Supreme Court to keep public file on motions to limit public access.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant

Increase Local Govt. Expenditures* - Exceeds \$100,000

Assumes greater courts costs for hearings and increased expenditures to local and state governments for recordkeeping and administrative costs.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director